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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

EPIC GAMES, INC., <div style="text-align: right;"><i>Plaintiff,</i></div> <div style="text-align: center;">v.</div> APPLE INC., <div style="text-align: right;"><i>Defendant.</i></div>	Case No. 4:20-cv-05640-YGR-TSH FURTHER STIPULATION AND [PROPOSED] ORDER PERMITTING NON-PARTY DEPOSITION OF ADRIAN ONG OF MATCH GROUP, INC. AFTER THE NON-EXPERT DISCOVERY CUTOFF
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> APPLE INC., <div style="text-align: right;"><i>Counterclaimant,</i></div> <div style="text-align: center;">v.</div> EPIC GAMES, INC., <div style="text-align: right;"><i>Counter-defendant.</i></div>	Hon. Yvonne Gonzalez Rogers

1 WHEREAS, on October 6, 2020, this Court ordered a February 15, 2021, Non-Expert
2 Discovery Cutoff in its Case Scheduling and Pretrial Order (the “Scheduling Order”) (Dkt. 116) in
3 *Epic Games, Inc. v. Apple Inc.*;

4 WHEREAS, Epic served a deposition subpoena to take the deposition of Adrian Ong of
5 Match Group, Inc.;

6 WHEREAS, Mr. Ong’s deposition was scheduled to occur on February 15, 2021, prior to the
7 Non-Expert Discovery Cutoff;

8 WHEREAS, Mr. Ong’s counsel informed the parties that Mr. Ong would be unable to
9 proceed with his deposition on February 15, 2021 due to an unexpected family medical emergency
10 but expected Mr. Ong to be available on February 22, 2021;

11 WHEREAS, Epic scheduled Mr. Ong’s deposition for February 22, 2021;

12 WHEREAS, on February 18, 2021, this Court entered an order permitting Mr. Ong’s
13 deposition to proceed on February 22, 2021 (Dkt. 344);

14 WHEREAS, on the morning of February 22, 2021, Mr. Ong’s counsel informed the parties
15 that, due to further complications stemming from the aforementioned family medical emergency,
16 Mr. Ong was unable to proceed as expected with the deposition on February 22, 2021 and requested
17 that the parties postpone Mr. Ong’s deposition until February 24, 2021;

18 WHEREAS, Epic would like Mr. Ong’s deposition to be permitted to occur after the Non-
19 Expert Discovery Cutoff and has scheduled the deposition for February 24, 2021, and Apple does not
20 oppose given the reason provided for the delay;

21 THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED by the parties through
22 their respective counsel and pursuant to Civil L.R. 6-2 that Mr. Ong’s deposition may be taken up to
23 and including February 24, 2021 and may still be used at trial to the same extent as if it had been
24 taken within the fact discovery period without prejudice to any other objections any party may have.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: February 22, 2021

By: /s/ J. Wesley Earnhardt

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Dated: February 22, 2021

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PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED.

DATED: _____

HON. YVONNE GONZALEZ ROGERS
United States District Judge

DECLARATION REGARDING CONCURRENCE

I, J. Wesley Earnhardt, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: February 22, 2021

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By: /s/ J. Wesley Earnhardt

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